

The Honorable John H. Chun

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SABER INTERACTIVE INC.,

Plaintiff,

v.

OOVEE, LTD., ZANE SAXTON, DEVIN  
MILSOM and VINCE MILSOM,

Defendants.

NO. 2:21-CV-01201-JHC

**STIPULATION AND ORDER  
ALLOWING FILING OF SECOND  
AMENDED COMPLAINT,  
WITHDRAWING MOTION TO  
DISMISS FIRST AMENDED  
COMPLAINT, AND SETTING  
BRIEFING SCHEDULE FOR  
MOTION TO DISMISS SECOND  
AMENDED COMPLAINT**

NOTE ON MOTION CALENDAR:  
April 29, 2022

**WHEREAS**, Plaintiff Saber Interactive Inc. (“Saber”) and Defendant Oovee, Ltd.  
 (“Oovee”) are parties to this lawsuit;

**WHEREAS**, on September 2, 2021, Saber filed its Complaint against Oovee;

**WHEREAS**, on February 9, 2022, Saber filed its First Amended Complaint against  
Oovee;

**WHEREAS**, on April 14, 2022, Oovee filed its Motion to Dismiss Saber’s First  
Amended Complaint;

STIPULATION AND ORDER ALLOWING FILING OF  
SECOND AMENDED COMPLAINT, WITHDRAWING  
MOTION TO DISMISS FIRST AMENDED COMPLAINT,  
AND SETTING BRIEFING SCHEDULE FOR MOTION TO  
DISMISS SECOND AMENDED COMPLAINT - 1  
No. 2:21-CV-01201-JHC

**SAVITT BRUCE & WILLEY LLP**  
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(206) 749-0500

1           **WHEREAS**, on April 26, 2022, Saber filed its Second Amended Complaint against  
2 Oovee without seeking leave of Court;

3           **WHEREAS**, in the interest of judicial economy, the parties desire to permit the Second  
4 Amended Complaint to be filed pursuant to Federal Rule of Civil Procedure 15(a)(2), to  
5 withdraw Oovee's Motion to Dismiss Saber's First Amended Complaint, and to set a briefing  
6 schedule for Oovee's Motion to Dismiss Saber's Second Amended Complaint;

7           **THEREFORE**, by their respective undersigned counsel, Saber and Oovee hereby  
8 stipulate and agree as follows:

- 9           1. Saber's Second Amended Complaint will be deemed filed as of the date of the entry  
10           of this Court's Order;
- 11           2. Oovee's Motion to Dismiss Saber's First Amended Complaint shall be withdrawn.
- 12           3. Oovee's Motion to Dismiss Saber's Second Amended Complaint shall be filed no  
13           later than May 19, 2022.
- 14           4. Saber's Opposition, if any, and Oovee's Reply, if any, shall be file pursuant to the  
15           deadlines set forth in LCR 7(d)(3).

16           SO STIPULATED AND AGREED this 29th day of April, 2022.

17           **SAVITT BRUCE & WILLEY LLP**

17           **NEWMAN DU WORS DURRANCE LLP**

18           By: s/ Michael E. Chait

18           By: s/ Keith Scully

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25           Attorneys for Defendant Oovee, LTD

25           Attorneys for Plaintiff Saber Interactive, Inc.

26  
27           STIPULATION AND ORDER ALLOWING FILING OF  
              SECOND AMENDED COMPLAINT, WITHDRAWING  
              MOTION TO DISMISS FIRST AMENDED COMPLAINT,  
              AND SETTING BRIEFING SCHEDULE FOR MOTION TO  
              DISMISS SECOND AMENDED COMPLAINT - 2  
              No. 2:21-CV-01201-JHC

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**I. ORDER**

Based on the above stipulation of the parties, the Court orders as follows:

1. Plaintiff Saber Interactive Inc.'s ("Saber") Second Amended Complaint is deemed filed as of the date of the entry of this Order.
2. Defendant Oovee, Ltd.'s ("Oovee") Motion to Dismiss Saber's First Amended Complaint is withdrawn.
3. Oovee's Motion to Dismiss Saber's Second Amended Complaint shall be filed no later than May 19, 2022.
4. Saber's Opposition, if any, and Oovee's Reply, if any, shall be file pursuant to the deadlines set forth in LCR 7(d)(3).

**IT IS SO ORDERED.**

DATED this 29<sup>th</sup> day of April, 2022.



The Honorable John H. Chun  
United States District Judge

PRESENTED BY:

**SAVITT BRUCE & WILLEY LLP**

By: s/ Michael E. Chait

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